## SAN DIEGO PLANNING COMMISSION

# DOCKET FOR SPECIAL CLOSED SESSION AND REGULAR PLANNING COMMISSION MEETING 9:00 A.M., AUGUST 4, 2011 CITY ADMINISTRATION BUILDING COUNCIL CHAMBERS 202 C STREET, 12<sup>TH</sup> FLOOR

#### **NOTE:**

If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ALD's) are required, please contact the Planning Department at (619) 321-3208 at least five (5) working days prior to the meeting to insure availability.

Those items with an asterisk (\*) will include consideration of the appropriate environmental document.

To listen to the "live" broadcast of a Planning Commission meeting, dial 619-533-4001. Note: Rancho Bernardo and Rancho Penasquitos residents dial 619-484-7711 and ask the Citizen's Assistance operator to connect you.

Members of the Public should realize and understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing.

When it is determined that the Planning Commission will adjourn for lunch, the Planning Commission will adjourn to Conference Room A, located on the 12<sup>th</sup> floor next to the Council Chambers.

## **NOTE:**

The Planning Commission will meet in closed session in the Council Chambers immediately following the regular Planning Commission hearing to discuss Item CS-2 described below. This closed session is authorized pursuant to Government Code § 54956.9(a). The reason and legal authority for the closed session is that the matter involves pending litigation against the City of San Diego and the Planning Commission, and discussion in open session would prejudice the City's position in the litigation. The public will be afforded an opportunity to speak on this matter at the end of the regular Planning Commission hearing, and before the Commission goes into closed session.

ITEM - 1: **ANNOUNCEMENTS/PUBLIC COMMENT -** This portion of the agenda provides an opportunity for members of the public to address the Commission on items of interest within the jurisdiction of the Commission. Comments relating to items on today's docket are to be taken at the time the item is heard.

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the Commission Secretary **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action,

other than a referral, shall be taken by Council on any issue brought forth under "Announcements/Public Comment."

#### ITEM - 2: REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN.

#### REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA. ITEM - 3:

The Chair may entertain a motion by a Commissioner to approve certain noncontroversial agenda items as consent agenda items at the beginning of the meeting. Items approved on consent are in accordance with the Manager's recommendation as stated in the Report to Planning Commission.

- ITEM 4: DIRECTOR'S REPORT.
- COMMISSION COMMENT. ITEM - 5:

#### T-MOBILE WEATHERHILL WAY – PROJECT NO. 221924 ITEM - 6:

City Council District: 5 Plan Area: Miramar Ranch North

Staff: Simon Tse

T-Mobile is proposing to install a Wireless Communication Facility (WCF) at 11496 Weatherhill Way in the RS-1-13 zone within the Miramar Ranch North community planning area. The WCF consists of three new 25-foot high light standards with one antenna attached per light. The associated equipment is located inside a 210-square feet concrete block wall enclosure with minimum visibility from the public right-ofway. The project requires a Planned Development Permit and a Conditional Use Permit, Process 4, Planning Commission decision. The project was exempt from the California Environmental Quality Act (CEQA) on April 22, 2011. Report No. – PC-11-067

# **TODAY'S ACTION IS:**

Process 4. Approve or deny the project.

# **DEPARTMENT RECOMMENDATION:**

Approve the project.

#### ITEM - 7: SCRIPPS MIRAMAR RANCH COMMUNITY PLAN AMENDMENT

**INITIATION – PROJECT NO. 240716** 

City Council District: 5 Plan Area: Scripps Miramar Ranch

Staff: Tony Kempton

The request is for initiation of an amendment to the General Plan and the Scripps Miramar Ranch Community Plan. The Community Plan Amendment Initiation seeks to re-designate approximately 9.5-acres from Industrial to Commercial. The project site is located at 9850 Carroll Canyon Road and the Community Plan Amendment Initiation is exempt from environmental review. Report No. – PC-11-068

# **TODAY'S ACTION IS:**

Approve or deny the initiation.

## **DEPARTMENT RECOMMENDATION:**

Approve the initiation.

#### ITEM – 8: \*ALVARADO TRUNK SEWER PHASE III - PROJECT NO. 209815

City Council District: 7 Plan Area: Navajo & College

Staff: Patricia Grabski

A Site Development Permit (SDP) is requested to demolish, abandon and replace existing sewer on portions of San Diego State University (SDSU) and the Smoke Tree Adobe Falls Park Subdivision. A deviation is required to permit the proposed project within a wetlands.

The project is located in a City Open Space urban canyon within the Navajo and College Community Planning areas and is located between the Smoke Tree Adobe Falls Subdivision to the north and Interstate 8 to the south with a smaller portion of the project occurring on the south side of Interstate 8. Report No. – PC-11-060

# **TODAY'S ACTION IS:**

Process 4. Approve or deny the project.

## **DEPARTMENT RECOMMENDATION:**

Approve the project.

**CS - 1:** Public Comment on closed session with the City Attorney regarding the following litigation: Animal Protection and Rescue League, et al. v. City of San Diego, et al. Case Number: 37-2011-00085228-CU-WM-CTL

# CS - 2: <u>Conference with Legal Counsel - existing litigation, pursuant to California</u> <u>Government Code section 54956.9(a)</u>

Case Name: Animal Protection and Rescue League, et al. v. City of San Diego, et al.

Case Number: 37-2011-00085228-CU-WM-CTL

DCAs Assigned: George Schaefer

Plaintiffs Animal Protection and Rescue League and private citizens sued the City and the Planning Commission in San Diego Superior Court. In their lawsuit, Plaintiffs challenged the Planning Commission's denial of the City's Park and Recreation Department's application for a coastal development permit and site development permit to install a year-round guideline rope barrier to protect seals at the La Jolla Children's Pool. The Superior Court remanded the case back to the Planning Commission for further deliberations. In closed session, the City Attorney's Office will advise the Planning Commission regarding the litigation.

# **CS - 3:** City Attorney Report Out of Closed Session.